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HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 1235 of 2003

Petitioner		Dr. Lavkush Dubey, aged about 44 years, S/o Late Shri Jaijai Ram Dubey, Ayurvedic Chikitsa Adhikari, Government Ayurvedic Hospital, R/o G-21, Nutan Colony, Sarkanda, Bilaspur, District Bilaspur, Chhattisgarh.
	Versus	
Respondents	1.	The State of Chhattisgarh, through Secretary, Department of Health and Family Welfare, D.K.S. Bhawan, Mantralaya, Raipur, Chhattisgarh.
	2.	Director, Indian System of Medicine and Homeopathy, Raipur, Chhattisgarh.
	3.	Superintendent cum District Ayurved Officer, Bilaspur, Chhattisgarh.

Shri Rakesh Jha, Advocate for the petitioner.

Shri Pankaj Shrivastava, Panel lawyer for the Respondents

ORAL ORDER

(2nd February 2006)

The following order of the Court was passed by **Satish K. Agnihotri, J.**

1. In this petition, the petitioner has impugned the transfer order dated 10.4.2003 (Annexure P/1).

2. The petitioner was working as Aurvedic Chikitsa Adhikari in Govt. Aurvedic District Hospital, Nutan Colony, Bilaspur. By the impugned transfer order he was transferred to Government Aurvedic Clinic, Pandhi, District- Bilaspur. The impugned order has been stayed by this Court on 17.4.2003. By virtue of the interim order, the petitioner continued on the same place of posting. As such, it is not necessary go into the validity of the impugned transfer order.

3. In view of the above, the petition has become infructuous with the passage of time, to which learned counsel for the respondents has not objection.

4. Learned counsel for the petitioner submits that the daughter of the petitioner is suffering from Thalassemia disease and she requires blood transfusion in interval of every 20 - 22 days. The petitioner is granted liberty to make representation to the concerned authority for considering his case sympathetically, while posting the petitioner at a particular place. In the facts of the case the respondents/authorities are directed not to insist upon compliance of the impugned transfer order.

5. Accordingly, the petition is dismissed as having become infructuous. No order as to costs.

Certified copy, as per Rules.

Sd/-
Satish K. Agnihotri
Judge

Thakur